

SEP 5 11 42 AM '03

Before the  
Federal Communications Commission  
Washington, D.C. 20554

DIS

In the Matter of

Amendment of Section 73.622(b),  
Table of Allotments,  
Digital Television Broadcast Stations.  
(Sault Saint Marie, Michigan)

MB Docket No. 02-83  
RM-10404

**REPORT AND ORDER**  
**(Proceeding Terminated)**

Adopted: August 28, 2003

Released: September 4, 2003

By the Chief, Video Division:

1. At the request of Scanlan Television, Inc. ("Scanlan"), licensee of station WGTQ-TV, Sault Saint Marie, Michigan, the Commission has before it the Notice of Proposed Rule Making, 17 FCC Rcd 7264 (2002), proposing the substitution of DTV channel 9 for station WGTQ's assigned DTV channel 56.<sup>1</sup> Scanlan filed comments expressing its continuing interest in the allotment of DTV channel 9 in lieu of DTV channel 56. No other comments were received.

2. We believe the public interest would be served by substituting DTV channel 9 for DTV channel 56 since it will permit Scanlan to reduce its initial build-out and overhead costs. DTV channel 9 can be allotted to Sault Saint Marie, Michigan, as proposed, in compliance with the principle community coverage requirement of Section 73.625(a) with a "c" designation at coordinates 46-03-08 N. and 84-06-38 W. Since the community of Sault Saint Marie is located within 400 kilometers of the U.S.-Canadian border, concurrence from the Canadian has been obtained for this allotment. In addition, we find that this channel is acceptable under the 2 percent criterion for *de minimis* impact that is applied in evaluating requests for modification of initial DTV allotments under Section 73.623(c)(2) for Station WGIQ-DT with the following specifications:

<u>State &amp; City</u>	<u>DTV Channel</u>	<u>DTV power (kW)</u>	<u>Antenna HAAT (m)</u>	<u>DTV Service Pop. (thous.)</u>
MI Sault Saint Marie	9c	24	291	84

3. Accordingly, pursuant to the authority contained in Sections 4(i), 5(c)(1), 303(g) and (r) and 307(b) of the Communications Act of 1934, as amended, and Sections 0.61, 0.204(b) and 0.283 of the Commission's Rules, IT IS ORDERED, That effective October 20, 2003, the DTV Table of Allotments, Section 73.622(b) of the Commission's Rules, IS AMENDED, with respect to the community listed below, to read as follows:

<sup>1</sup> In its petition, Scanlan states that the adoption of its proposed channel change will allow WGTQ-TV to reduce its power and use a smaller antenna, thereby reducing its initial capital investment and overhead costs

CityChannel No.

Sault Saint Marie, Michigan      9c, 49

4. IT IS FURTHER ORDERED, That within 45 days of the effective date of this Order, Scanlan Television, Inc., shall submit to the Commission a minor change application for a construction permit (FCC Form 301) specifying DTV Channel 9c in lieu of DTV Channel 56 for station WGIQ-DT.

5. IT IS FURTHER ORDERED, That this proceeding IS TERMINATED.

6. For further information concerning this proceeding, contact Pam Blumenthal, Media Bureau, (202) 418-1600.

FEDERAL COMMUNICATIONS COMMISSION

Barbara A. Kreisman  
Chief, Video Division  
Media Bureau